

REMARKS

Claims 1-4 and 17-20 are pending in the present application.

In the above amendments, claim 1 has been amended, and claims 17-20 have been added.

Claim Rejections – 35 USC § 102

Claims 1-4 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Kazmi et al., U.S.2002/0159416 (“Kazmi”).

With reference to independent claim 1, it is respectfully submitted that Kazmi does not teach nor suggest certain claimed features as now claimed.

In particular, it is respectfully submitted that Kazmi does not teach nor suggest the claimed feature “modifying the message to generate a single modified message beginning with a Protocol Revision (P REV) field , including a CDMA Frequency Assignment (CDMA FREQ) field, and ending with an Extended CDMA Frequency Assignment (EXT CDMA FREQ) field, **wherein the CDMA Frequency Assignment (CDMA FREQ) field is immediately before and adjacent to the Extended CDMA Frequency Assignment (EXT CDMA FREQ) field**” (emphasis added) as recited claim 1. In one embodiment, the single modified message is, e.g., a sync channel message 200 having only the first portion 202 which begins with P_REV field and ends with EXT_CDMA_FREQ field, an example of which is shown in Fig. 2 of the drawings.

In contrast to the claimed invention, Kazmi teaches a TYPE II message 400 which includes an ALT_SCH_MSG_P_REV field 330 between the fields of a TYPE I sync channel message 350 and the EXT_CDMA_FREQ field 206. See Fig. 4 and paragraphs [0036], [0037] and [0039]. Kazmi specifically states “In order to correct this deficiency, in accordance with the present invention the EXT_CDMA_FREQ 206 field is **removed** from the IS-2000 sync message, and a first-type synchronization message is created and used in conjunction with at least a second-type synchronization message” (paragraph [0036], emphasis added). Therefore, it is respectfully submitted that claim 1 (and dependent claims) is not anticipated within the meaning of 35 USC 102.

New Claims

Support for new claims 17-20 may be located in Fig. 2 and in the specification at paragraph [1041]. Applicants assert that new claims 17-20 recite patentable features over the cited prior art and should be allowed.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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